

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

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IN RE: DIGITEK PRODUCTS  
LIABILITY LITIGATION :

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:  
: MDL No. 1968

THIS DOCUMENT RELATES TO  
ALL ACTIONS

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**Application for Appointment to Plaintiffs' Steering Committee**

Daniel N. Gallucci, RodaNast, P.C., respectfully submits this application for appointment to the Digitek Products Liability Litigation Plaintiffs' Steering Committee.

Mr. Gallucci works cooperatively and effectively with courts, defense counsel and co-counsel and is committed to working in a positive, collegial and professional manner.

Mr. Gallucci and RodaNast, P.C. have the staff, resources, ability and willingness to work as a member of the Digitek Plaintiffs' Steering Committee.

Mr. Gallucci and RodaNast, P.C. have substantial professional experience in pharmaceutical litigation and have served as Court-appointed Lead Class Counsel or as a Steering or major committee member in pharmaceutical cases, including, by way of example, the following recent cases: *Serzone Products Liability Litigation*, MDL 1477 (S.D. W.V.); *Heparin Products Liability Litigation*, MDL 1953 (N.D. Ohio); *Avandia Marketing, Sales Practices and Products Liability Litigation*, MDL 1871 (E.D. Pa.); *Baycol Products Litigation*, MDL 1431 (D. Minn.); *Diet Drug Product Liability Litigation*, MDL 1203 (E.D. Pa.).

Mr. Gallucci has tried jury cases involving malpractice and wrongful death, and has participated as an advocate and as a presiding officer in multiple arbitrations. Mr. Gallucci secured the third largest jury verdict in Lancaster County, Pennsylvania history. He is active in *pro bono* work in Lancaster County and has received the Lancaster County Bar Association's award for outstanding representation of *pro bono* clients.

In 2005, Mr. Gallucci was selected by *Philadelphia Magazine* as a Pennsylvania Rising Star Attorney. He is a member of the Million Dollar Advocate Forum. Mr. Gallucci serves as a Moot Court Judge for the Dickinson Law Advocacy Program and chaired the Lancaster Bar Association's Trial Committee from 2004 to 2006.

He is a frequent seminar instructor and speaker, including serving as an instructor for the Pennsylvania Trial Lawyers Association Continuing Legal Education programs, the Philadelphia Bar Association and programs presented by the American Association for Justice. Mr. Gallucci frequently speaks on the safety of pharmaceutical products. Mr. Gallucci's review of *Comfortably Numb: How Psychiatry is Medicating a Nation*, by Charles Barber was published in the September 2008 issue of *TRIAL Magazine*.

Mr. Gallucci is admitted to practice before the Pennsylvania Supreme Court, Eastern and Middle Districts of Pennsylvania, and the Third Circuit Court of Appeals. He is a member of the American Bar Association, the Lancaster Bar Association, the American Association for Justice, and the Pennsylvania and Philadelphia Trial Lawyers Associations.

Mr. Gallucci graduated from Gettysburg College in 1994 with a bachelor's degree in history and from the Dickinson Law School of the Pennsylvania State University in 1998.

While at Dickinson Law School, Mr. Gallucci was selected to the Woolsack Honor Society (top 15% of class) and the National Trial Moot Court Team. He received the Falvello Memorial Award for Outstanding Achievement and was named to the Order of Barristers for Excellence in Courtroom Advocacy. He served as Articles Editor of *The Dickinson Law Review* and received the Best Case Note Award in the 1996-97 Law Review Competition.

After law school, Mr. Gallucci served a clerkship with the Honorable Michael A. Georgelis, President Judge of the Court of Common Pleas of Lancaster County, Pennsylvania.

After completing his clerkship, Mr. Gallucci joined RodaNast, P.C. His practice emphasizes mass tort personal injury litigation, class actions, and pharmaceutical and product liability multidistrict litigation.

RodaNast, P.C. represents Plaintiff Randell V. Mabee in the Digitek Litigation, a case recently transferred to the Southern District of West Virginia, C.A. 2:08-cv-01155, as well as multiple other claimants whose cases are currently under review.

DATED: October 20, 2008

/s/ Daniel N. Gallucci

Daniel N. Gallucci, Esquire

Atty. I.D. No. 81995

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CERTIFICATE OF SERVICE

I hereby certify that on October 20,2008, a copy of the Application for Appointment to Plaintiffs' Steering Committee was filed electronically and is available for viewing from this Court's ECF system. A true and correct copy of this document has been served via the Court's ECF system.

/s/ Daniel N. Gallucci  
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